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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,313	10/24/2001	Stephen Chin	0203375-002910US	3142

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EXAMINER

DASS, HARISH T

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 02/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/045,313

Applicant(s)

CHIN, STEPHEN

Examiner

Harish T Dass

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) 1-10 (are canceled) is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Please cancel claims 1-10, and add new claims 11-18.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

Claims 11 and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Jennings et al (Hereinafter Jennings, US Pat. 5,825,003).

Regarding claim 11, Jennings discloses a system and method for allowing funds to be transferred instantly to an account so that the funds are available to the payee, wire transfer [Abs], a customer-direct, automated processing for transferring funds between accounts via a communication network (Internet), transferring funds between accounts, parameters of the transfer [C1 L1 to C2 L62] CIRBUS network [C7 L60-L65]. Jennings discloses:

a). holding funds (storing) into an account [C4 L1-L2], verifying sufficient funds [C5 L30-L45].

b). remote front end processor to post a credit to the beneficiary account [C5 L37-L55].

c). transferring fund to remote destination and posting to beneficiary (recipient) account [C5 L42 to C6 L8; C28 L1-L22]

Regarding claim 15, Jennings discloses a system and method for allowing funds to be transferred instantly to an account so that the funds are available to the payee, wire transfer [Abs], a customer-direct, automated processing for transferring funds between accounts via a communication network (Internet), transferring funds between accounts, parameters of the transfer [C1 L1 to C2 L62]. Jennings discloses:

a). input request, transaction through PC, front end processor (server) [C3 L50-L67] receiving request [C4 L14-17] transferring fund to remote destination and posting to beneficiary (recipient) account [C5 L42 to C6 L8; C28 L1-L22].

b). fee charges, authorization, and fund transfer [C2 L37-L56],

c). transferring fund to remote destination and posting to beneficiary (recipient) account [C5 L42 to C6 L8; C28 L1-L22]

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 12-14 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jennings as applied to claims 11 and 15 above, in view of PayPal website <http://web.archive.org/web/19991012023035/paypal.com/about.html>)

Regarding claims 12-14 and 16-18, Jennings discloses a system and method for allowing funds to be transferred, successful posting and return and receiving of completion code (confirmation) [Abs; C5 L50-L65]. Jennings, explicitly, does not disclose well-know money order on-line. However, PayPal disclose sending money (money order) on-line to anyone with email.

It would have been obvious to one of ordinary skill in the art at the time the Applicant's invention was made to modify the disclosure of Jennings and include the on-line money order to facilitate and make easy for customers to send money from PC and home instead of making a trip to a store or post office. Additionally reduce the cost of doing business.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 CFR ' 1.111 (c) to consider the references fully when responding to this action.

US Patent 5,978,779 to Stein et al, Nov. 2, 1999 "Distributed architecture utility" discloses a system and device for integrating and structuring the relationships of a financial services provider (FSP) with its clients and with third parties with which the FSP transacts business. The system can be implemented on a network system. FSP has access to client, third parties, and related information, various transaction services (e.g., wire fund transfers), manage client account, debit an account, credit an account, storing parameter, storage device and servers.

WWW.WESTERNUNION.COM - Money transfer service discloses sending & receiving money on line and ability to use cash or major cards [sheet 1/4 website versions and sheet 4/4 an example, archive date 18 June 2000] – total of 4 pages.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harish T Dass whose telephone number is 703-305-4694. The examiner can normally be reached on 8:00 AM to 4:50 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S Sough can be reached on 703-308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-746-7238 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Harish T Dass *HTD*
Examiner
Art Unit 3628

1/27/03
January 27, 2003


Hyung-Sun Scugh
Primary Examiner